



U.S. Department of Justice

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March 10, 2022

By ECF and Email

(CronanNYSDChambers@nysd.uscourts.gov)

Hon. John P. Cronan

United States District Court

Southern District of New York

500 Pearl Street, Courtroom 12D

New York, NY 10007

Re: *W.P.V., on his own behalf and on behalf of his minor child, W.P.O. v. U.S., et al.*
No. 21 Civ. 4436 (JPC)

Dear Judge Cronan:

The parties provide the below update regarding the above-captioned case. On January 24, 2022, the Court granted the parties' application to continue the stay in this matter pending settlement discussions through March 17, 2022, and ordered that the parties provide a status update by March 10, 2022. *See* Dkt. No. 48. The parties write to provide the Court with the ordered status update.

As the parties informed the Court in their prior status letters, the United States and a group of counsel coordinating negotiations on behalf of plaintiffs and claimants were attempting to reach a nationwide resolution of actions arising from family separations at the United States/Mexico border that occurred during the prior administration. Those settlement talks have since ceased without a global resolution being reached. Additionally, the parties have determined that a settlement of this litigation is not possible at this time. Accordingly, the parties request that the stay in this matter be lifted.

Therefore, Defendants—both the Government and Defendant Cayuga—respectfully request 60 days, until May 9, 2022, to respond to the Complaint in this action. Plaintiffs consent to this deadline. By this date, in accordance with the Court's individual rules, the Government intends to submit a pre-motion letter with respect to its anticipated motion to dismiss and/or transfer this action.

Similarly, by May 9, 2022, Defendant Cayuga will also respond to the Complaint in accordance with the Court's individual rules—either by answering it or submitting a pre-motion letter if it opts to move to dismiss or sever the claims against both Defendants, should the Government move to transfer the venue.

Accordingly, Defendants respectfully request that the Court set May 9, 2022, as the deadline to respond to the Complaint.

We thank the Court for its consideration of this matter.

Respectfully,

/s/ Aamir A. Kazi

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